HIGH COURT OF UTTARANCHAL AT NAINITAL

Govt. Criminal Revision No. 290 of 2001
(Govt. Criminal Revision No. 1744/1999 Old No.)

State of U.P. …….. Revisionist

Vs.

Dirved Giri …….Respondent-Accused

Hon'ble Irshad Hussain, J.

Heard Sri G.S.Sandhu learned A.G.A. for the revisionist-State and perused the record.

This criminal revision under section 397/401 of the Code of Criminal Procedure (for short 'Code') has been preferred against the impugned judgment and order dated 28.4.1999 passed by the then C.J.M,, Almora in criminal case no. 3/1998.

By the aforesaid order, the CJM, Almora released the accused wanted in a criminal case pending before the CJM, Uttarkashi when the accused was arrested in his jurisdiction in execution of the warrant issued under section 81 of the Code. Since the accused was arrested in the jurisdiction of the CJM, Almora he has power to release on bail in an appropriate case by giving a direction to the accused to appear before the court concerned at a particular date. By the impugned order the learned CJM concerned has done rightly the same and therefore there appear no infirmity and impropriety in the impugned order and the revision lack merit. Therefore, the revision is hereby dismissed.

(Irshad Hussain, J.)

Dated 22.5.2004

Rawat